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PATENT
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1744

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D.L.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chris DE BRUIJN, et al.

Serial No: 09/711,784

Filed: November 13, 2000

For: CONTACT LENS AND OPTHALMIC SOLUTIONS

Art Unit: 1744

Examiner: [EXAMINER]

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
Washington D.C. 20231, on

August 23, 2002
Date of Deposit

Heather B. Del Bosco
Name

[signature] 08/20/02
Signature Date

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).

2. ☒ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

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OR FEE

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). ($180.00).

☒ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) ($180.00) to Deposit Account No. 50-1796, referencing docket number 25865.00100. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). ($180.00).

☐ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) ($180.00) to Deposit Account No. 50-1796, referencing docket number . A copy of this petition is enclosed.

4. The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) [37 C.F.R. § 1.97(h)]. Further, applicants make no admission that all references presented here are prior art in relation to the present application.

5. If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1796. **A copy of this petition is enclos d.**

6. A list of 23 reference(s) is in the enclosed Form PTO-1449. Pursuant to 37 C.F.R. § 1.98(d), copies of the listed reference(s)are not provided since they w re submitted in parent application Serial No. 90/130,542, the benefit of the filing date of which is claimed herein under 35 U.S.C. § 120.

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,

CROSBY, HEAFEY, ROACH & MAY

Date: August 23, 2002

By: _____
Stefan J. Kirchanski
Registration No. 36,568
Attorney for Applicant(s)

1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067
Phone: (310) 734-5200
Fax: (310) 734-5299

FORM PTO-1449	Docket Numb r (O nal) 25865.00110	Applicati n Number 09/711,784
INFORMATION DISCLOSURE CITATION IN AN APPLICATION *(Use several sheets if necessary)*	Applicant Chris DE BRUIJN, et al.	
	Filing Date [filing date]	Group Art Unit 1744

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,136,173	1/23/1979	Pramoda, et al.			
	4,291,997	4/29/1997	Isaacs, et al.			
COPY OF PAPERS ORIGINALLY FILED	4,394,381	7/19/1983	Sherrill			
	4,458,595	7/19/1988	Ogunbiyi, et al.			
	4,599,360	7/81986	Fukami, et al.			
	4,820,352	4/11/1989	Riedhammer, et al.			
	4,836,986	6/6/1989	Ogunbiyi, et al.			
	4,894,454	1/16/1990	Paradies			
	4,997,626	3/5/1991	Dziabo, et al.			
	5,078,908	1/7/1992	Ripley, et al.			
	5,175,161	12/29/1992	Yokoyama, et al.			
	5,279,673	1/18/1994	Dziabo, et al.			
	5,300,296	4/5/1994	Holly, et al.			
	5,306,440	4/26/1994	Ripley, et al.			
	5,380,303	1/10/1995	Holly, et al.			
	5,547,990	8/20/1996	Hall, et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translati n YES	Translati n NO
	AG 100 2484	11/03/97	Netherlands				

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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*	
	Antimicrobial Polymers, John Wiley & Sons, Inc., 1975
	Bausch & Lomb, ReNu MultiPlus MultiPurpose Solution, multiplus.htm at www.bausch.com

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

FORM PTO-1449	Docket Number (Optional) 25865.00110	Application Number 09/711,784
INFORMATION DISCLOSURE CITATION IN AN APPLICATION *(Use several sheets if necessary)*	Applicant: Chris DE BRUIJN, et al.	
	Filing Date: [filing date]	Group Art Unit: 1744

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	OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*
	Standard Test Method for Agar Diffusion Cell Culture Screening for Cytotoxicity, American Society for Testing & Materials, ASTM Designation: F 895-84 (Reapproved 1990), pp 1-4.
	Acanthamoeba Keratitis: Resistance to Medical Therapy, Linda Ficker, et al., London, 1990, pp 835-838.
	Long-term Antiplaque, Anticalculus and Antigingivitis Effects on Benzethonium/Polymer Complex in Beagle Dog, A. Gaffar, et al., November 1981, pp 1897-1903.
	Studies on the Formation of Electrostatic Complexes Between Benzethonium Chloride and Anionic Polymers, Edward A. Tavss, et al., Journal of Pharmaceutical Sciences, 1984, pp 1148-1152

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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.